

C I T Y   O F   L I N C O L N

LINCOLN CITY COUNCIL ACT 1985

BYELAWS

made by the Lincoln City Council under Section 14 of the Lincoln City Council Act 1985 with respect to and for the regulation of the Lincoln Commons

1. Throughout these byelaws the expression "the Council" means the Lincoln City Council and the expression "the Commons" means the Commons as defined in Section 3 of the Lincoln City Council Act 1985.
  
2. An act necessary to the proper execution of his duty on the Commons by an officer of the Council, or an act which is necessary to the proper execution of any contract with the Council shall not be deemed an offence against these byelaws.
  
3. A person shall not on the Commons
  - (i) climb any wall or fence in or enclosing the Common, or any tree or any barrier, railing, post or other erection;
  - (ii) without reasonable excuse remove or displace any barrier railing, post or seat, or part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the Commons

4. A person shall not, except in pursuance of a lawful agreement with the Council, and subject to the provisions of Section 15 of the Lincoln City Council Act 1985, or otherwise in the exercise of any lawful right or privilege, bring or cause to be brought on to the Commons any cattle, sheep, goats or pigs or any beast of draught or burden
5. (1) No person in charge of a dog, other than a registered blind person in charge of a guide dog shall, without reasonable excuse, permit the dog to enter or remain in Queen's Park.
- (2) Notice of the effect of this byelaw shall be given by signs displayed in conspicuous positions at the entrances to Queen's Park.
6. (1) For the purpose of byelaw 5 above, the keeper of the dog shall be deemed in charge thereof, unless the court is satisfied that at the time when the dog entered or remained in Queen's Park it had been placed or taken into the charge of some other person.
- (2) In paragraph (1) above "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.
7. (i) A person shall not, except in the exercise of any lawful right or privilege, bring or cause to be brought onto the Commons any barrow, truck, machine or vehicle other than:

(a) a wheeled bicycle, tricycle or other similar machine;

(b) a wheelchair, a perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid

Provided that where the Council has set apart a space on the Commons for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the Commons of any vehicles of the class for which it is set apart

(ii) A person shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or other similar machine in any part of the Commons.

Provided that the use in connection with the playing of golf of an electrically driven caddy cart or golf cart shall not be deemed to be an offence under this provision

8. A person shall not on the Commons

(i) bathe, wade or wash in any lake, pond, or stream, or other water;

(ii) without reasonable excuse foul or pollute any such water.

9. Where the Council set apart such part of the Commons as may be fixed by the Council, and described on a notice board affixed or set up in some conspicuous positions on the Commons,

for the purpose of any game specified on the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person on the Commons may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in such part of the Commons, a person shall not in any space elsewhere on the Commons play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such a space.

10. A person resorting to the Commons and playing or taking part in any game for which the exclusive use of any space on the Commons has been set apart shall -

- (i) not play on the space any game other than the game for which it is set apart;
- (ii) in preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the Commons by other persons;
- (iii) when the space is already occupied by other players not begin to play thereon without their permission;
- (iv) where the exclusive use of the space has been granted by the Council for the playing of a match, not play on that space later than a quarter of an hour before the time fixed for the beginning of the match unless he is taking part therein;
- (v) except where the exclusive use of the space has been granted by the Council for the playing of a match in which he is taking part, not use the space for a longer

time than two hours continuously, if any other player or players make known to him a wish to use the space.

11. A person shall not on any part of the Commons which may have been set apart by the Council for any game play or take part in any game when the state of the ground or other cause makes it unfit for use and a notice is set up in some conspicuous position prohibiting play in that part of the Commons.

12. A person shall not on the Commons -

(i) except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building or other structure:

Provided that this prohibition shall not apply where upon on application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building or other structure, upon such occasion and for such purposes as are specified in the application.

(ii) sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to sell or let to hire on the Commons such commodity or article.

13. No person shall on the Commons:

- (a) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
- (b) intentionally obstruct any other person in the proper use of the Commons, or behave so as to give reasonable grounds for annoyance to other persons on the Commons

14. A person shall not -

- (i) On the Commons drive, chip, pitch or putt a hard golf ball except on land set aside for use of a golf course or putting course;
- (ii) On the West Common intentionally play his ball onto or across Saxilby Road or;
- (iii) On the South Common intentionally play his ball onto or across any highway adjoining the Common.

15. A person resorting to such golf courses as are set out on the Commons for the purpose of playing or taking part in the game of golf shall not play or take part in that game when a notice is set up in some conspicuous position prohibiting play on the golf course or any part thereof

16. A person shall not on the golf courses situate on the Commons play or take part in any game other than the game of golf.

17. A person shall not on the Commons walk, ride, exercise

or train a horse to the danger of any other person using the Commons.

18. No person shall race any horse unless on land set aside by the Council for this purpose.

19. No person shall upon the Commons use any device designed or adapted for detecting or locating any metal or mineral in the ground.

20. No person shall remove or displace any soil or plant.

21. (1) No person shall upon the Commons -

(i) release any power driven model aircraft for flight or control the flight of such an aircraft; or

(ii) cause any such aircraft to take off or land thereon unless

(a) it is kept under effective control;

(b) the noise emitted by the aircraft gives a noise measurement of not more than 82dBA(A) at a distance of 7 metres from the aircraft when measured by means of the equipment described, and by the method set out, in the code of practice issued in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981;

(c) subject to paragraph (2) below, the aircraft is fitted with an effectual silencer or similar

device; and

(d) it is flown not less than 200 metres from any boundary of the Commons.

(2) Paragraph 1 (c) shall not have effect in relation to an aircraft to which the fitting of a silencer or similar device is not reasonably practicable.

(3) In this byelaw the expression "model aircraft" means an aircraft which either weighs not more than 5 kilogrammes without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order and the expression "power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances.

22. No person shall except in the exercise of any lawful right or privilege have in his possession while he is on the Commons any firearm unless it is so covered with a securely fastened gun cover that it cannot be fired.

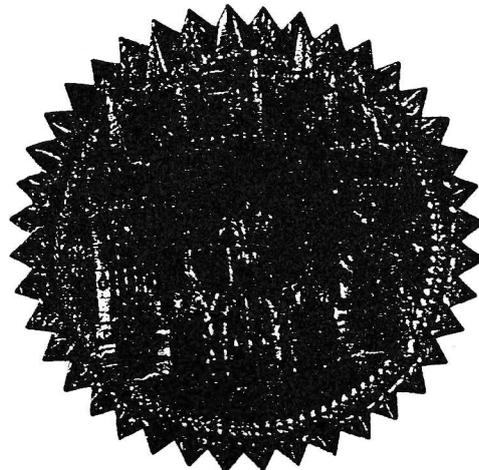
In this byelaw the expression "firearm" means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged.

23. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level Two on the Standard Scale.

GIVEN under the Common Seal of the Lincoln City Council  
this 19<sup>th</sup> day of September 1989.

Mayor *J.S. Robertson*

*Jim*  
Chief Executive



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SEALED BOOK	